

REMARKS/ARGUMENTS

General comments re claims and rejection under 35 U.S.C. 112

Claims 1, 2, 5, and 6 were already previously amended to remove the “would” language, and these have been reprinted with no changes. Claims 3, 4, 7, and 8 were amended to remove the “would” language.

Examiner’s second rejection

The Examiner has rejected claims 1-3 under 35 U.S.C. 103(a) based on Toll (US 3,941,159). The Applicant disagrees with this basis for rejection, as noted below.

The Examiner agrees that there are three separate characteristics of the present invention that are not disclosed in the prior art, yet jumps to a conclusion that in spite of this absence, the present invention is “obvious” in lieu of the Toll prior art reference. Without more reasoning that what is already provided, the Examiner believes that the argument presented under this basis for rejection is unfounded and lacks sufficient legal basis.

CONCLUSION

For all of the above-described reasons, applicant submits that the specifications and claims are now in proper form, and that the claims define patentability over the prior art. In addition, applicant believes that his arguments in the "Remarks" section successfully traverses the objections and rejections brought forth by the Examiner in the Office Action. Therefore, the applicant respectfully submits that this application is now in condition for allowance, which action he respectfully solicits. If the Examiner feels that some of the dependent claims are allowable, the Applicant asks the Examiner to allow the Applicant to make any amendments to the allowed claims to incorporate all the limitations of the base claim and any intervening claims.

Respectfully Submitted,



Matthew J. Peirce, Esq.

Registration No. #41,245

Attorney for Inventor Michael Bourbeau